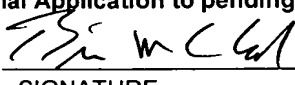




U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

**IAP15 Rec'd PCT/PTO 10 AUG 2006**

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>061967-0102</b>
INTERNATIONAL APPLICATION NO. PCT/NZ2004/000086	INTERNATIONAL FILING DATE May 7, 2004	U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unassigned, National Stage of PCT/NZ2004/000086
TITLE OF INVENTION METHOD AND APPARATUS FOR MIXING SAMPLE AND REAGENT IN A SUSPENSION FLUID		PRIORITY DATE CLAIMED May 16, 2003
APPLICANT(S) FOR DO/EO/US Stephen J. SOWERBY, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ul style="list-style-type: none"><li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li><input checked="" type="checkbox"/> has been communicated by the International Bureau.</li><li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li></ul></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ul style="list-style-type: none"><li><input type="checkbox"/> is attached hereto.</li><li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ul></li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ul style="list-style-type: none"><li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li><li><input checked="" type="checkbox"/> have been communicated by the International Bureau.</li><li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li><input type="checkbox"/> have not been made and will not be made.</li></ul></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> A partially executed oath or declaration of the inventors (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input type="checkbox"/> A preliminary amendment (7 pages).</li><li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76 (3 pages).</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</li><li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li><li>20. <input checked="" type="checkbox"/> Other items or information: Petition Under 37 C.F.R., § 1.47(b), Statement in Support thereof by Diana F. Hill with enclosures.</li></ol>		

U.S. APPLICATION NO. (If known, see 37 CFR. 1.5) <b>10/550,547</b>		INTERNATIONAL APPLICATION NO. <b>PCT/NZ2004/000086</b>		ATTORNEY'S DOCKET NUMBER <b>061967-0102</b>	
The following fees have been submitted:					
21. <input checked="" type="checkbox"/>	Basic national fee			<b>\$300</b>	\$ 300.00
22. <input checked="" type="checkbox"/>	Examination fee				
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$100	\$ 200.00
All other situations				\$200	
23. <input checked="" type="checkbox"/>	Search fee				
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	
All other situations				\$500	\$ 400.00
<b>TOTAL OF ABOVE 21, 22 and 23 =</b>					<b>\$ 900.00</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
28 - 100 = 0	/50 =	0		x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))					\$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		\$
Total Claims	34 - 20 =	14	x \$ 50.00		\$ 700.00
Independent Claims	2 - 3 =	0	x \$ 200.00		\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00		\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$ 1730.00</b>
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					<b>\$ 865.00</b>
<b>SUBTOTAL =</b>					<b>\$ 865.00</b>
<b>TOTAL NATIONAL FEE =</b>					<b>\$ 865.00</b>
<b>TOTAL FEES PREVIOUSLY PAID =</b>					<b>\$ 800.00</b>
<b>DIFFERENCE TO PAY =</b>					<b>65.00</b>
<b>Fee for enclosed Petition Under 37 C.F.R. § 1.47(a) =</b>					<b>\$ 130.00</b>
<b>TOTAL FEES ENCLOSED =</b>					<b>195.00</b>
08/15/2006 10/15/2006 01 FC:2617					<b>Amount to be refunded:</b>
					<b>charged:</b>
<p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of <u>\$0.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: center;">Foley &amp; Lardner LLP Customer Number: 22428</p>					
					<p style="text-align: center;"></p> <p>SIGNATURE <b>R. Brian McCaslin</b></p> <p>NAME <b>48,571</b></p> <p>REGISTRATION NUMBER</p>

AUG 10 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,547	Stephen J. Sowerby	061967-0102

22428  
 FOLEY AND LARDNER LLP  
 SUITE 500  
 3000 K STREET NW  
 WASHINGTON, DC 20007

INTERNATIONAL APPLICATION NO.	
PCT/NZ04/00086	
I.A. FILING DATE	PRIORITY DATE
05/07/2004	05/16/2003

CONFIRMATION NO. 1920  
 371 FORMALITIES LETTER



\*OC00000019342379\*

Date Mailed: 06/21/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/26/2005
- Copy of the International Search Report filed on 09/26/2005
- Copy of IPE Report filed on 09/26/2005
- Copy of Annexes to the IPER filed on 09/26/2005
- Preliminary Amendments filed on 09/26/2005
- Information Disclosure Statements filed on 09/26/2005
- U.S. Basic National Fees filed on 09/26/2005
- Priority Documents filed on 09/26/2005
- Specification filed on 09/26/2005
- Claims filed on 09/26/2005
- Abstracts filed on 09/26/2005
- Drawings filed on 09/26/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,547	PCT/NZ04/00086	061967-0102